



#4

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION

09/746429

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM, METHOD AND ARTICLE OF MANUFACTURE FOR MANAGING A MEDICAL SERVICES NETWORK**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on **December 22, 2000** as United States Application Serial No. **09/746,429** or PCT International Application No. and was amended on _____ (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/171,446	December 22, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of the United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby appoint:

Antoinette F. Konski	Reg. No. 34,202
Brian C. McCormack	Reg. No. 36,601
Michele Todd Wasmuth	Reg. No. 43,239

all of Baker & McKenzie, 660 Hansen Way, Palo Alto, California 94304, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith.

Please direct all communications to:

Antoinette F. Konski, Esq.
Baker & McKenzie
660 Hansen Way
Palo Alto, California 94304
Telephone: (650) 856-2400
Facsimile: (650) 856-9299

Please direct all telephone calls to Antoinette F. Konski at (650) 856-5564.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 6/28/01

By: 

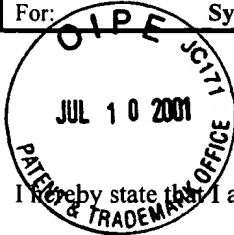
Name: Aaron G. Filler

Residence: 3435 Ocean Park Boulevard, Suite 112, Santa Monica, California
90405 USA

Citizenship: USA

Post Office Address: Same as above

Applicant **Aaron G. Filler** Attorney Docket No.: **144841-200100**
Application No.: **09/746,429**
Filing Date: **December 22, 2000**
For: **System, Method and Article of Manufacture for Managing a Medical Services Network**



STATEMENT CLAIMING SMALL ENTITY STATUS
SMALL BUSINESS CONCERN (37 C.F.R. §§ 1.9(f) & 1.27(c))

I hereby state that I am:

- ☒ the owner of the small business concern identified below;
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **NeuroGrafix**

ADDRESS OF SMALL BUSINESS CONCERN: **2716 Ocean Park Boulevard, Suite 3035, Santa Monica, California 90405 USA**

I hereby state that the above identified small business concern qualifies as a small business concern as identified in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **System, Method and Article of Manufacture for Managing a Medical Services Network**, by inventor **Aaron G. Filler**, as described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent invention under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization I listed below.

NAME	ADDRESS	TYPE
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status of a small entity is no longer appropriate (37 CFR § 1.28(b)).

NAME OF PERSON SIGNING: **AARON G. FILLER**

TITLE OF PERSON IF OTHER THAN OWNER: **CHIEF EXECUTIVE OFFICER**

ADDRESS OF PERSON SIGNING: **2716 OCEAN PARK BOULEVARD, SUITE 3035, SANTA MONICA, CALIFORNIA 90405 USA**

SIGNATURE: 

DATE: 6/28/01



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Aaron G. Filler

Application No./Patent No.: 09/746,429

Filed/Issue Date: December 22, 2000

Entitled: System, Method and Article of Manufacture for Managing a Medical Services Network

NeuroGrafix

a California Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

6/28/01
Date

[Signature]
Signature

Aaron G. Filler
Typed or printed name

Chief Executive Officer
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT
SOLE

THIS ASSIGNMENT, by Aaron G. Filler (hereinafter referred to as the assignor), residing at 3435 Ocean Park Boulevard, Suite 112, Santa Monica, California 90405 USA, witnesseth:

WHEREAS, said assignor has invented certain new and useful improvements in **SYSTEM, METHOD AND ARTICLE OF MANUFACTURE FOR MANAGING A MEDICAL SERVICES NETWORK**, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/746,429, filed on December 22, 2000; and

WHEREAS, NeuroGrafix, a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 2716 Ocean Park Boulevard, Suite 3035, Santa Monica, California 90405 USA (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignor have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representative and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representative and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, said assignor hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignor are the sole and lawful owner of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignor have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignor hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignor will, whenever counsel of said assignee, or the counsel of its successors, legal representative and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, Legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignor hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date

6/28/01

By:

Aaron G. Filler